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ROBERT H. SHEM-WELL, CLERK
WESTERN DISTRICT OF LOUISIANA

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAKE CHARLES DIVISION

UNITED STATES OF AMERICA : DOCKET NO. 2:05 CR 20134-003
VS. : JUDGE MINALDI
JOSEPH JOHNWELL, JR. : MAGISTRATE JUDGE KAY
Date of Previous Judgment: August 29, 2007 USM No: 12774-035

ORDER

Upon the motion of the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. §994(u), and having considered such motion,

IT IS ORDERED that the motion is DENIED.

The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure and the reduced sentence is comparably less than the amended guideline range. A sentence of one year and one days allows for good time credit. Less than that amount of time would adversely impact the defendant.

IT IS ORDERED that the parties have ten (10) days from the date of this Order to file any objections which will be considered as contemporaneous objections for the record. In the absence of any objections, this Order will be considered final in ten (10) days from the date of this Order.

Lake Charles, Louisiana, this 3rd day of March, 2008.

cc: USM-LC
USP-LC
FPD
Walker


PATRICIA MINALDI
UNITED STATES DISTRICT JUDGE